

REMARKS

Claims 1-7 are pending in this application. By this Amendment, claims 1-3 are amended. The amendments introduce no new matter. Reconsideration of the application based on the above amendments and following remarks is respectfully requested.

The Office Action makes final the Restriction Requirement. Claims 4-7 are, therefore, provisionally withdrawn from consideration. However, as claims 4-7 are directly or indirectly dependent on at least one of claims 1 and 3, Applicant respectfully requests that when claims 1-3 are allowed, claims 4-7 should be rejoined and allowed as well as depending from allowed independent claims 1 and 3.

The Office Action, in paragraphs 3-5, objects to the specification and claim 1 for informalities. The informalities are corrected by this Amendment. Withdrawal of the objections is therefore respectfully requested.

The Office Action, in paragraph 7, rejects claims 1-3 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,472,772 to Onizuka et al. (hereinafter "Onizuka"). These rejections are respectfully traversed.

The Office Action asserts that Onizuka discloses a structure wherein the bus bar structure plate has the integrated whole shape in which a plurality of types of electric power circuits are formed by selecting at least one position at which the bus bars are separated from each other. In support of this, the Examiner refers to column 3, lines 60-67 of Onizuka. Applicants believe that the Office Action inaccurately interprets Onizuka. Onizuka does not disclose a bus bar structure plate, despite the assertion of the Office Action to the contrary. The Office Action attempts to show that same unidentified part of the electric power distributor of Onizuka can be considered to correspond to the recited structure. However, without identifying a specific part or combination of parts, it is difficult for Applicants to identify which features of the references are alleged to correspond to the recited claim

features. The Office Action attempts to map features of the various intermediate components generated during the fabrication process of the device in Onizuka to separate features recited in the pending claims, thereby improperly suggesting the existence of all the recited features in a single embodiment.

The Office Action asserts that the cutting process described in column 3, lines 60-67, of Onizuka, demonstrates the feature of a bus bar structure plate wherein a plurality of types of electric power circuits are formed by selecting at least one position at which the bus bars are separated from each other. This construction might be possible if the bus bar structure plate was broadly interpreted to equate to an undivided conductive strip attached to the insulating holder as described in Onizuka, *i.e.* the pre-cut configuration. However, under such an interpretation, the Office Action's reliance on column 3, lines 48-56, as disclosing a "bus bar structure plate" having a plurality of bus bars is improper because that passage refers to a post-cut, fully assembled power distributor. In other words, there is no disclosed "bus bar structure plate" with a plurality of bus bars and the present ability to be formed into a plurality of circuits by further separation of bus bars by separating a connection part.

The various alleged embodiments of Onizuka cannot properly be modified as suggested by the Office Action to include features of the other embodiments in attempting to render anticipated the subject matter of the pending claims. In reviewing the anticipation standard, the Federal Circuit stated "[t]o anticipate, every element and limitation of the claimed invention must be found in a single prior art reference, arranged as in the claim." *Brown v. 3M*, 265 F.3d 1349, 1351, 60 USPQ2d 1375 (Fed. Cir. 2001), *cert. denied*, 122 S. Ct. 1436 (2002) (emphasis added). Additionally, other court precedent clarifies the requirements for anticipation based on arguably distinct teachings in a single prior art reference, stating that "the reference ... must clearly and unequivocally disclose the claimed compound or direct those skilled in the art to the compound without any need for picking,

choosing, and combining various disclosures not directly related to each other by the teachings of the cited reference." *In re Arkley*, 455 F.2d 586, 587, 172 USPQ 524 (CCPA 1972); *see also Sandisk Corp. v. Lexar Media, Inc.*, 91 F. Supp. 2d 1327, 1336 (N.D. Calif. 2000) (stating that "[u]nless all the elements are found in a single piece of prior art in exactly the same situation and united the same way to perform the identical function, there is no anticipation.") and *Aero Industries Inc. v. John Donovan Enterprises-Florida Inc.*, 53 USPQ2d 1547, 1555 (S.D. Ind. 1999) (stating that "[n]ot only must a prior patent or publication contain all of the claimed elements of the patent claim being challenged, but they 'must be arranged as in the patented device' ").

This standard for anticipation is also set forth in MPEP §2131, which states that "the identical invention must be shown in as much detail as is contained in the . . . claim." Further, although the same terminology need not be used, "the elements must be arranged as required by the claim." The reliance on differing steps in the process of Onizuka as allegedly anticipating the features recited in the pending claims does not meet these standards.

Further, the Abstract in Onizuka, suggests an insulating holder for holding the input conductive strip and the output conductive strips on the same plane. These strips are independently formed during the fabrication process. Indeed, it would be contrary to the design of Onizuka to connect the input and output conductive strips because there is no further separation step suggested that would form the circuits contained therein, *i.e.* the circuits are formed during fabrication of the device. The present subject matter discloses a bus bar structure plate that has an integrated whole shape after fabrication. This integrated whole shape, depicted in Fig. 1, does not separate the input and output buses into independent formations. Thus, Onizuka does not teach, nor can it reasonably be considered to have suggested, this feature.

Onizuka also fails to disclose an integrated whole shape such that: a circuit in which the plurality of switching elements to be mounted in the mounting position are arranged in parallel, and a circuit in which a plurality of switching elements to be mounted in the mounting portion are arranged in series, are selectively formed by selecting at least one position at which the bus bars are separated from each other. The Office Action again relies on an unidentified feature as teaching a mounting position for mounting a plurality of switching elements. However, selectively forming circuit arrangements by selecting at least one position at which the bus bars are separated, is not taught by Onizuka. The circuit configurations in Onizuka are formed by the fabrication cutting. The circuits, and types thereof, are therefore set and non-transformable. The bus bars of the present subject are formed in an integrated whole that is further separable, in such a manner as to allow the formation of different types of circuits.

Claim 1 is amended to better clarify at least a connection part, having a connecting portion. This connection part corresponds with connection part 15 in, for example, Fig. 1; and as described at page 7, lines 14-20. Onizuka does not teach an equivalent part. Rather, Onizuka teaches the bus bars being independently separated during fabrication (see column 3, lines 60-67). As such, Onizuka does not teach, nor can it reasonably be considered to have suggested, all of the features of the pending claims as amended.

For at least these reasons, the applied prior art cannot be considered to teach, or to have reasonably suggested, the combination of all of the features recited in independent claim 1. Additionally, claims 2-3 are also neither taught, nor would they have been suggested, by the applied prior art for at least the respective dependence of these claims directly or indirectly on independent claim 1, as well as for the separately patentable subject matter that each of these claims recites.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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